COUNTY OF LOS ANGELES

# SHERIFF'S DEPARTMENT

*A Tradition of Service*

DATE: March 1, 2011

OFFICE CORRESPONDENCE FILE NO. SH2266395

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
**DEPUTY VICTOR SOLIS,#[redacted]**
**LAKEWOOD STATION**

On May 7, 2011 at approximately 0920 hours, deputies responded to a 911 call in Bellflower regarding a burglary in progress. The call indicated that a male black adult, with whom the caller was not familiar with, was forcing entry into a rear pool house by using a knife.

Prior to arrival, the call was coordinated, and a containment was set. Deputies Solis, Emch, Bank, and Ramos approached the residence. As they did, they were contacted by the victim who gave them a suspect description and told them the last seen location of the suspect.

Sergeant Seelhorst took a position on the southeast fence line as the deputies made their way to the back portion of the house by walking along the driveway on the west side of the house. Deputies Ramos and Bank made their way to the east side of the house, as Deputies Solis and Emch took a position on the west side.

Subsequently, Suspect Christopher Wheeler was seen running inside the containment. The suspect stopped and turned toward Deputy Solis while reaching into his waistband. Believing the suspect may be retrieving a weapon and fearing for his safety, Solis fired one round at the suspect. The suspect was not hit and continued running. A short foot pursuit took place. The deputies lost sight of the suspect as he climbed several walls and continued eastbound.

The suspect was later captured and arrested. No weapon was recovered.

On February 10, 2011 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Victor Solis #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Solis in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:RSP/rsp

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## SH#2266395

# Los Angeles County Sheriff's Department

# Officer Involved Shooting



| Report Date: 05-07-10 | Bureau/Station/Facility: FOR III / Lakewood Sheriff's Station | Admin. Invest.? ☐ | Hit? ☐ |
|---|---|---|---|

## Incident Information

| | |
|---|---|
| URN: 910-10613-1134-064 | Date: 05-07-10 Time: 0920 Hours |
| City or Station: Bellflower | Nature of Incident: Deputies responded to a 459 now call. During the foot pursuit, Deputy Solis believed the suspect was retrieving a weapon from his waistband. Fearing for his safety, he fired one round at the suspect missing him. The suspect was subsequently arrested. |
| Location: [redacted] Park Street | |

**Location Type (circle one or more):** Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, (Residence — circled), Rural, School, Street. Other: ______

**Lighting (circle only one):** Darkness, (Daylight — circled), Other, Street Lights

**Weather (circle only one):** Clear, (Cloudy — circled), Fog, Rain

**Distance:**

**Incident Type (circle one or more):** Accidental, Armed Person, Fleeing Suspect, (Foot Pursuit — circled), Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot. Other: ______

**Initiated by (circle only one):** Arrest Warrant, (Call — circled), Observation, One Person Unit, Other, Search Warrant, Two Person Unit

**Prior Activity (circle only one):** Detective, Inmate Transport, Other, (Routine Patrol — circled)

| Total # of Shots Fired by Deputy | Total # of Shots Fired by Suspect | Aero Unit? | Canine Unit? |
|---|---|---|---|
| One | None | ☐ | ☒ |

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (circle only one) | ShiftType (circle only one) |
|---|---|---|---|---|---|
| [redacted] | Emch | Andrew | | EM / PM / (Day — circled) | (Regular — circled) / Overtime / Off Duty |
| [redacted] | Bank | Brian | | EM / PM / (Day — circled) | (Regular — circled) / Overtime / Off Duty |
| [redacted] | Ramos | Rudy | | EM / PM / (Day — circled) | Regular / (Overtime — circled) / Off Duty |

## Non-Employee Witnesses

| Last Name | First Name | M.I. | | |
|---|---|---|---|---|
| Street Address | City | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | M.I. | | |
| Street Address | City | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | M.I. | | |
| Street Address | City | Zip Code | Work Ph | Home Ph |

## Supervisors

| Employee # | Last Name | First Name | M.I | (circle one or more) |
|---|---|---|---|---|
| [redacted] | Seelhorst | Wilbert | | (On Duty — circled), (Present during shooting — circled), Witness to shooting, Involved in shooting |
| | | | | On Duty, Present during shooting, Witness to shooting, Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Chavez | Pilar | |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Acosta | Martin | |

**PSTD Use Only**

SH # ______

# Officer Involved Shooting

URN: 910-10613-1134-064



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 05-07-10 | 1120 | 07-22-10 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Grimaldi | Mike | |
| [redacted] | Graham | Scott | |
| [redacted] | Flores | Carlos | |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

( 9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## ***FORCE APPLIED*** *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S1 | E1 | UC | | | | | NN | NN |
| E1 | S1 | FH | HK | 45 | Y | Y | NN | NN |
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# Officer Involved Shooting
# Involved Employee Information

URN: 910-10613-1134-064



## Involved Employee

E 1

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Solis | Victor | |

| Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
|---|---|---|---|---|
| M | H | Deputy | Lakewood | 133K |

ShiftTime (*circle only one*): EM PM Day
ShiftType (*circle only one*): Regular Overtime Off Duty
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐
Hospital Name:
Coroner Case? ☐
Coroner Case #
Interviewed? ☐

Hrs of sleep prior to shooting:
Duty Time (hrs):
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest
Other Factors:

Age: [redacted] Height: Weight:

Range Qualification Date: [redacted]
PPC Qualification Date: [redacted]
Laser Training Date: [redacted]

Certified with Weapon Used? [redacted]
Patrol Certification? [redacted]
Certification Unit: [redacted]
Prior Shootings? [redacted]
Number of Prior Shootings: [redacted]
Directed Force: [redacted]

| Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots |
|---|---|---|---|---|---|
| H & K USP | .45 | 1 | | | |

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

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E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day
ShiftType (*circle only one*): Regular Overtime Off Duty
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐
Hospital Name:
Coroner Case? ☐
Coroner Case #
Interviewed? ☐

Hrs of sleep prior to shooting:
Duty Time (hrs):
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest
Other Factors:

Age: Height: Weight:

Range Qualification Date:
PPC Qualification Date:
Laser Training Date:

Certified with Weapon Used? ☐
Patrol Certification? ☐
Certification Unit:
Prior Shootings? ☐
Number of Prior Shootings:
Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

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E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day
ShiftType (*circle only one*): Regular Overtime Off Duty
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐
Hospital Name:
Coroner Case? ☐
Coroner Case #
Interviewed? ☐

Hrs of sleep prior to shooting:
Duty Time (hrs):
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest
Other Factors:

Age: Height: Weight:

Range Qualification Date:
PPC Qualification Date:
Laser Training Date:

Certified with Weapon Used? ☐
Patrol Certification? ☐
Certification Unit:
Prior Shootings? ☐
Number of Prior Shootings:
Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.



See Other Side

# Officer Involved Shooting
# Suspect Information

URN: 910-10613-1134-064



## Suspect Information

S 1

| | | | |
|---|---|---|---|
| Last Name Wheeler | | First Name Christopher | M.I. J. |
| AKA Last Name | | First Name | M.I. |
| Sex: M Race: B | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 21 D.O.B. 01-26-89 | Height: 509 Weight: 140 | FBI # [redacted] | CII # [redacted] |
| Booking # 2324127 | Primary Charge: 459 P.C. | Secondary Charge: 69 P.C. | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☒ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make Cadillac | | Model: CTS | Year: 2003 |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |



See Other Side

**INVESTIGATIVE SUMMARY**
**DEPUTY INVOLVED SHOOTING: NON - HIT**
**SH# 2266395**
**URN 910-10613-1334-064**

**DATE / TIME / LOCATIONS**

Friday, May 7, 2010
0928 hours
[redacted] Park Street, Bellflower

On May 7, 2010, at approximately 0920 hours, deputies responded to a 911 call at [redacted] Park Street in Bellflower regarding a burglary in progress. The call indicated that a male black adult, with whom the caller was not familiar with, was forcing entry into a rear pool house by using a knife.

> **IAB Note:** A CD containing a recording of the 911 call is included in this case book. See **Exhibit F.**

Prior to arrival, the call was coordinated, and a containment was set up. Deputies Solis, Emch, Bank, and Ramos approached the residence . As they did , they were contacted by the victim who gave them a suspect description and told them the last seen location of the suspect. Sergeant Seelhorst took a position on the southeast fence line as the deputies made their way to the back portion of the house by walking along the driveway on the west side of the house. Deputies Ramos and Bank made their way to the east side of the house, as Deputy Solis and Emch took a position on the west side.

Subsequently the suspect (Christopher Wheeler MB / 21) was seen running inside the containment. A broadcast was put out on L-Tac. Deputies inside the containment saw the suspect running northbound from the house at [redacted] Park Street. As the suspect ran from the deputies, he ran west between the addresses of [redacted] and [redacted]

The suspect stopped and turned toward Deputy Solis while reaching into his waistband. Fearing for his safety, Solis fired one round at the suspect. They suspect was not hit and continued running northbound. A short foot pursuit took place. The deputies lost sight of the suspect as he climbed several walls and continued eastbound. The suspect was later captured by deputies on the containment and arrested. The incident was documented on a sheriff's crime report, bearing File Number 910-10613-1334-064. The investigation was being handled by Operation Safe Streets Bureau (OSSB) Personnel. The foot pursuit is being handled by Lakewood Station Personnel.

> **IAB Note:** This property has [redacted] separate homes on the same lot. ([redacted]). See **Exhibit D.**

Internal Affairs Bureau Lieutenant Mike Grimaldi was notified. Sergeants Scott Graham and Carlos Flores responded to Lakewood Station, to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, and involved deputies.

**IAB SHOOTING / FORCE TEAM**

Lieutenant Mike Grimaldi, Sergeant Scott Graham, and Sergeant Carlos Flores.

**INVOLVED PERSONNEL**

**Solis**, Victor, Deputy #[redacted] MH/34 5-09 195 Left Handed
Patrol - Lakewood Station
Region III

Date of Employment: 02-23-1999
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date of Range Qualification
Prior Shooting Incidents:
Prior Founded Force Incidents:

**SUSPECT**

**Wheeler,** Christopher MB/21 5-09 140

The Consolidated Criminal History System reveals Suspect Wheeler [redacted] Suspect Wheeler is a member of the "Rollin 40's" Gang.

> **IAB Note:** Suspect Wheeler's Criminal History Report is included in this case book. See **Exhibit C**. A CD containing photographs of Suspect Wheeler, and a printed photograph of Suspect Wheeler is also included. **See Exhibit J**.

## EMPLOYEE WITNESSES

**Ramos, Rudy #**[redacted] Detective

**Bank, Brian #**[redacted] Deputy Sheriff

**Emch, Andrew #**[redacted] Deputy Sheriff

## NON-EMPLOYEE WITNESSES

Several of the neighboring houses were canvassed for potential witnesses. None of the persons contacted saw the incident, several only heard it. Their statements are documented on several supplemental reports. See **Exhibit B**.

## INJURIES

**Suspect Wheeler**:

None.

**Deputy Personnel:**

None.

## PHYSICAL EVIDENCE

One expended .45 caliber casing, and bullet fragment were found in the driveway of [redacted] Damage to the stucco of the house located at [redacted] on the west side. This was apparently caused by the bullet which hit, then ricocheted into the cinder block wall. A fragmentation was also discovered in the cinder block wall just north of the location.

> **IAB Note:** For a complete listing of physical evidence collected at the scene, see **Exhibit E**.

## DISTANCE

Fifteen to twenty feet.

## INVESTIGATOR OBSERVATIONS

On May 07, 2010 the Internal Affairs Bureau's Force and Shooting Response Team responded to the City of Bellflower regarding a deputy involved non- it shooting. The team consisted of Lieutenant Mike Grimaldi and Sergeants Scott Graham, and Carlos Flores, Attorney Robert Miller of the Office of Independent Review also responded.

**IAB NOTE**: IAB Lieutenant Mike Grimaldi checked to see that the watch commander, Sergeant Acosta took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, IAB Lieutenant Mike Grimaldi checked to see if the watch commander attempted to have the involved and witness personnel gather in the company of a supervisor (Sergeant Gillespie) until they have provided a statement to the assigned investigators.

Investigators arrived to the scene approximately two hours after the incident. They did not enter the victim's home.

Upon their arrival they learned that there was an active command post and containment of the crime scene area. Investigators learned that the series of events which occurred, culminated into a deputy involved non-hit shooting involving Deputy Victor Solis. The personnel involved in the incident are uniformed patrol deputies, and no - call, two person crime impact cars.

The victim's residence is in a residential area. There are three separate residences on the same property. They share a single driveway that runs along the west side of the property from the street, to the rear of the property. The structures on Park Street are a mix of single and two story, single family residences, and one or two story triplexes.

The criminal investigation is being handled by Operations Safe Streets Bureau Detectives Mark Brook, and Mike Davis. They entered the residence with Sheriff's Crime Lab Personnel. They documented their actions and findings on Supplemental Reports. See **Exhibit B.**

**IAB Note:** A CD containing Photographs of the scene, and printed photographs are included in this report. See **Exhibits H.** A sketch of the scene is also included, see **Exhibit E.**

**REVIEW OF RADIO TRANSMISSIONS**

The Internal Affairs Investigator reviewed the radio broadcast during the incident. On the recording, an unidentified deputy in unit 133H is heard coordinating units to the location and set up a containment. (0922:33 Hours) Later, an unidentified deputy can be heard asking for emergency clearance, "10-33." (0928:23 Hours) The deputy advises that a suspect is running northbound from the location. Within seconds, (0928:37 Hours) another unidentified deputy advises of a "998," deputy involved in a

shooting. The deputy quickly advises that the suspect is not hit and is running toward "Woodruff". An unidentified deputy advises the suspect is now running toward "Park." (0929:01 Hours) SCC asked for the unit advising 998 if they were hit. (0929:14 Hours) 133H quickly advises his location. Unit 133G is heard making sure that the containment is in tact. (0929:29 Hours) Another unidentified unit advises for units to "stand by", the suspect is at Woodruff and Park running southbound. (0929:38 Hours) The same deputy advises that three deputies are in foot pursuit. (0930:01 Hours) Seconds later the same deputy advises that the suspect is being taken into custody. (0930:10 Hours) 130S then advises "code four detaining one." (0930:19 Hours) An unidentified deputy advises SCC to shut down any further code 3 responses. An unidentified deputy is then heard telling "Air 7" about the possibility of other suspects. Air 7 says they will be launching from Long Beach. SCC asks if 902R is needed. They are told, not at this time. Units are told to hold the containment units it is cleared. Units can be heard tightening up the containment. A command post location is established by 133H . Air 7 comes overhead and deputies try to determine the exact location of the 459. The operation is then transferred to A-tac 4.

**IAB Note:** Recording of Dispatch Fourteen emergency radio traffic, and L-tac traffic is included in this report. See **Exhibit G**.

## LIGHTING AND WEATHER CONDITIONS

It was light and sunny when the incident occurred (0928 hours).

## WEAPONS USED BY DEPUTY PERSONNEL

**Deputy Solis:**

| | |
|---|---|
| Service Weapon Type: | Heckler and Koch 45 Caliber Semi-Automatic |
| Rounds Fired: | One |
| Type of Ammunition Used: | Department Issued Luger (Win) Ranger SXT 147gr. |
| Date Employee Last Qualified: | [redacted] |

**IAB Note:** An examination of Deputy Solis's firearm indicated he had shot a total of one round. One expended, 45 cal., casing was recovered at the scene. See **Exhibit E**. The firearm was tested by Sheriff's firearms examiners and found to be functional.
See **Miscellaneous Documents.**

## WEAPONS USED BY SUSPECT

None

## PROPERTY DAMAGE

Damaged stucco (graze mark) on the west wall of the residence of [redacted] caused by the bullet fired. Chipped cinder block on the north wall caused by the bullet strike.

> **IAB Note:** Photographs of the damage are included in this report. See **Exhibit H**.

## CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator: Operation Safe Streets Bureau - Detective Mike Davis

Charges: Burglary, 459 PC
Bellflower Court - Case Number VA115239

## INVOLVED EMPLOYEE STATEMENTS

**Involved Deputy Victor Solis** was interviewed at **Internal Affairs Bureau** by Sergeants Scott Graham and Trent Denison, on June 10, 2010, at 1023 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy Solis answered questions relative to tactics. He said that when they approached the location, the victim came outside and told Deputy Emch the suspect description, which he relayed to the other deputies. They formed a search team and walked down the west side of the location.

As they were walking to the rear, radio traffic relayed that the suspect was running north through the yard. Deputies Ramos and Bank saw the suspect climb over the north wall and run northbound on the east side of the property. They gave chase while Deputy Solis and Emch went down the west side to prevent the suspect from doubling back. As Deputy Solis approached the north west portion of the second house, he saw the suspect running toward him. He said the suspect was looking over his shoulder. When the suspect turned around, they made eye contact. The suspect appeared to be holding what Deputy Solis believed was a handgun which was concealed in the suspects waistband. The suspect began to stand up straight while starting to bring his hands from his waistband. Fearing the suspect was going to pull out a gun and shoot him, Deputy Solis fired one round at the suspect missing him. Deputy Solis said the incident occurred so fast, there was no time to obtain a sight picture, or cover.

The suspect immediately ran northbound away from him. Deputy Solis put out radio traffic that he had just been in a shooting, and the direction the suspect was running.

traffic that he had just been in a shooting, and the direction the suspect was running.

Suspect wheeler was eventually apprehended a short time later by assisting deputies in the containment. Suspect Wheeler was not injured during the incident.

> **IAB Note:** During his interview, Deputy Solis was shown an aerial photograph of the scene. Deputy Solis was asked to mark his, and the suspect's position, when the incident occurred. See **Miscellaneous Documents**.

For Deputy Solis's complete statements, refer to his verbatim interview transcripts.

## EMPLOYEE WITNESSES

**Ramos, Rudy #[redacted]**

**Witness Deputy Rudy Ramos** was interviewed at **Internal Affairs Bureau** by Sergeants Scott Graham and Trent Denison, on June 10, 2010, at 1050 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy Ramos answered questions relative to tactics. He said that when they approached the location, the victim came outside and told Deputy Emch the suspect description, which was relayed to the other deputies. They formed a search team and walked down the west side of the location.

As they were walking to the rear, radio traffic relayed that the suspect was running north through the yard. He said he saw the suspect climb over the north wall and run northbound on the east side of the property. He gave chase while Deputy Solis and Emch went down the west side of the property. As he and Deputy Bank chased the suspect around the north east portion of the second house, Deputy Ramos said he saw the suspect looking back at them over his shoulder. The suspect slowed down, almost to a stop. Deputy Ramos said he saw a bulge in the suspect's waistband. He said he saw the suspect reaching into his front waistband area. Believing the suspect was going to pull out a gun, he yelled, "shoot him, shoot him." The direction the suspect was running, was in a north west direction toward where Deputy Solis was at. Deputy Ramos said, at this point Deputy Solis fired one round at the suspect. He said he would have shot, but he did not want Deputies Solis and Emch to be in his line of fire.

After Deputy Solis shot, the suspect ran northbound, then east around the third house on the property. He and Deputy Bank continued chasing the suspect, who they watched go over the east wall. By the time they got to the wall, the suspect was already to the east wall of the next property. They continued through the next yard until they lost sight of the suspect, who had climbed over that wall.

**IAB Note:** During his interview, Deputy Ramos was shown an aerial photograph of the scene. Deputy Ramos was asked to mark his, the other deputies, and the suspect's position, when the incident occurred. See **Miscellaneous Documents**.

For his complete statement, refer to the verbatim transcript, included in this case book.

**Bank, Brian #[redacted]**

**Witness Deputy Brian Bank** was interviewed at **Internal Affairs Bureau** by Sergeants Scott Graham and Trent Denison, on June 10, 2010, at 1112 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy Bank answered questions relative to tactics. He said that when they approached the location, the victim came outside and told Deputy Emch the suspect description, which he relayed to the other deputies. They formed a search team and walked down the west side of the location.

As they were walking to the rear, radio traffic relayed that the suspect was running north through the yard. He said Deputy Ramos saw the suspect climb over the north wall and run northbound on the east side of the property. He and Deputy Ramos gave chase, while Deputies Solis and Emch went down the west side of the property.

As they chased the suspect around the north east portion of the second house, Deputy Bank said he saw the suspect looking back at them over his shoulder. The suspect stopped, and Deputy Bank said he saw the suspect holding his front waistband area with his left hand. He heard Deputy Ramos yelling, "shoot him, shoot him.' Believing the suspect was "drawing" either a knife or a gun, he said he would have shot, but Deputy Ramos was in the way. The suspect had been running in a north west direction where he met up with Deputy Solis. He said Deputy Solis fired one round, and the suspect ran northbound, then east around the third house on the property.

He and Deputy Ramos continued chasing the suspect who had they watched go over the east wall. By the time they got to the wall, the suspect was already to the east wall of the next property. They continued through the next yard until they lost sight of the suspect, who had already climbed the next wall.

**IAB Note:** During his interview, Deputy Bank was shown an aerial photograph of the scene. Deputy Bank was asked to mark his, the other deputies', and the suspect's position, when the incident occurred. See **Miscellaneous Documents**.

For his complete statement, refer to the verbatim transcript, included in this case book.

**Witness Deputy Andrew Emch** was interviewed at **Internal Affairs Bureau** by Sergeants Scott Graham and Trent Denison, on June 10, 2010, at 1139 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy Emch answered questions relative to tactics. He said that when they approached the location, the victim came outside and told him the suspect description, which he relayed to the other deputies. They formed a search team and walked down the west side of the location.

He remained on a containment point next to the garage. He said Deputies Bank, Ramos, and Solis continued on the west side of the garage. He said he heard radio traffic that relayed that the suspect was running north through the yard. He said he left his containment spot and went to the north side of the garage where he only saw Deputy Solis. He said Deputy Solis was heading north down the long driveway, and he was just ahead of him. He made his way up to Deputy Solis and when he did, he looked to his right and sees a person matching the suspect description. He said that the suspect was crouched with his hand in his waistband and was looking back, "as if someone was chasing him." He said that Deputy Solis stopped, took two steps back, and fired one round at the suspect. The suspect ran northbound down the driveway, and then eastbound behind the house.

He said that Deputy Ramos and Deputy Bank chased the suspect along the north side of the last house on the property. He said he stopped and made sure that Deputy Solis was "OK."

Deputy Solis put out radio traffic and he (Deputy Emch), ran east between the second and third house. When he was at the block wall, he saw the suspect was already in the next yard running in a south east direction. He said that Deputies Ramos and Bank were chasing the suspect, but stopped when the suspect went over the far east wall.

> **IAB Note:** During his interview, Deputy Emch was shown an aerial photograph of the scene. Deputy Emch was asked to mark his, the other deputies', and the suspect's position, when the incident occurred. See **Miscellaneous Documents**.

For his complete statement, refer to the verbatim transcript, included in this case book.

## CIVILIAN WITNESSES

The residential neighborhood near the shooting scene, on Park Street, was canvassed for any potential witnesses. The area was canvassed by deputies from Lakewood station.

Several of the residents stated they heard noises, but none actually witnessed the shootings, or had any knowledge of the circumstances surrounding the incident. The names of the residents contacted, and a summary of their interviews, are documented on Supplemental Reports, which are included in this case book. See **Exhibit B**.

## SUSPECT'S STATEMENTS

**Suspect Chris Wheeler** was interviewed by Operation Safe Streets Bureau Detectives Mark Davis, and Richard Woodruff, on May 7, 2010, at 1510 hours. The interview was conducted at Lakewood Sheriff's Station. The interview was audio recorded.

For a summary of Suspect Wheelers's interview, refer to the supplemental report authored by Detective Davis. See **Exhibit B**. The audio recording of the interview is also included in this case book, see **Exhibit K**.